

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

NORFOLK SOUTHERN RAILWAY CO.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:08cv618 (JCC)
	)	
CITY OF ALEXANDRIA, et al.,	)	
	)	
Defendants.	)	
	)	

**O R D E R**

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

(1) Norfolk Southern Railway and RSI Leasing's Motion for Summary Judgment on Counts I and II is DENIED AS MOOT;

(2) City of Alexandria's Motion for Summary Judgment on Counts I and II is GRANTED;

(3) Norfolk Southern Railway and RSI Leasing's Motion for Summary Judgment on Count III is DENIED;

(4) City of Alexandria's Motion for Summary Judgment on Count III is GRANTED;

(5) Norfolk Southern Railway and RSI Leasing's Motion for Summary Judgment on Counts IV and V is GRANTED;

(6) City of Alexandria's Motion for Summary Judgment on Counts IV and V is DENIED; and,

(7) the Clerk of the Court shall forward copies of this Order to all counsel of record.

THIS ORDER IS FINAL.

April 15, 2009  
Alexandria, Virginia

\_\_\_\_\_/s/\_\_\_\_\_  
James C. Cacheris  
UNITED STATES DISTRICT COURT JUDGE